



CGHC010101542021



2026:CGHC:38512

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 1958 of 2021**

Pusram Bhagat S/o Late Prem Lal Bhagat Aged About 35 Years R/o  
Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

**--- Petitioner(s)**

**versus**

**1 - State Of Chhattisgarh Through Secretary Department Of Revenue  
And Disaster Management Mahanadi Bhawan Raipur District Raipur  
Chhattisgarh**

**2 - State Of Chhattisgarh Through Secretary Department Of Industry  
Raipur District Raipur Chhattisgarh**

**3 - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh**

**4 - Collector Raigarh-Cum-Land Acquisition Officer, Raigarh District  
Raigarh Chhattisgarh**

**5 - Sub Divisional Officer Cum Land Acquisition Officer, Gharghoda,  
District Raigarh Chhattisgarh**

**6 - Tahsildar Tamnar, District Raigarh Chhattisgarh**

**7 - M/s Jaiswal Neco Industries Limited, Through Its General Manager, F-8, MIDC Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra)**

**8 - General Manager, Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh**

**--- Respondent(s)**

**WPC No. 3264 of 2021**

**1 - Balsay Sidar S/o Faras Ram Sidar Aged About 68 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh**

**2 - Ishwar Sidar S/o Late Atma Ram Sidar Aged About 53 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead after His Death Petitioner Is The Legal Successor) R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh**

**3 - Bahadur Singh Sidar S/o Jaharasingh Sidar Aged About 60 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh**

**4 - Bandhuran Sidar S/o Kapil Sidar Aged About 65 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh**

**5 - Rup Singh Sidar S/o Late Mohan Singh Sidar Aged About 45 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh**

**6 - Jagat Ram Sidar S/o Mahasingh Sidar Aged About 60 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh**

**7** - Dileep Sidar S/o Ghasiram Sidar Aged About 61 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**8** - Ravi Narayan Sidar S/o Matak Sai Sidar Aged About 62 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**9** - Barat Ram Birahor S/o Shobharam Birahor Aged About 51 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**10** - Chamar Singh Birhor S/o Dukhu Ram Birhor Aged About 50 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**11** - Sonsay S/o Late Nakulram Aged About 25 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**12** - Alek Ram S/o Jagat Ram Aged About 75 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

**---Petitioner(s)**

**Versus**

**1** - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh.

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District Raipur Chhattisgarh

**3** - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh,

**4** - Collector Raigarh-Cum-Land Acquisition Officer, Raigarh, District Raigarh Chhattisgarh

**5** - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh

**6** - Tahsildar Tamnar, District Raigarh Chhattisgarh

**7** - M/s Jaiswal Neco Industries Limited, Through Its General Manager, F-8, Midc Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra), District : Nagpur, Maharashtra

**8** - Hindalco Industries Limited, Through Its General Manager, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

--- Respondent(s)

**WPC No. 2292 of 2021**

**1** - Chandan Bhagat, S/o Sadhram Bhagat, Aged About 63 Years (Name Of Sadhram Is Mentioned In The Chart And He Has Died Therefore His Legal Heir Chandan Bhagat Is Filing This Petition) R/o Village Kondkel, Milupara, District Raigarh, Chhattisgarh

**2** - Gangadhar Bhagat, S/o Sadhram Bhagat, Aged About 53 Years R/o Village Kondkel, Milupara, District Raigarh, Chhattisgarh

**3** - Lalaram Bhagat, S/o Bandhan, Aged About 70 Years (Wrongly Mentioned As Lal Say S/o Dhansay In The Serial No. 33 Of The Chart) R/o Village Kondkel, Milupara, District Raigarh, Chhattisgarh.

**4** - Ramsingh Bhagat, S/o Nandlal, Aged About 55 Years R/o Village Kondkel, Milupara, District Raigarh, Chhattisgarh

---Petitioner(s)

**Versus**

**1** - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District - Raipur Chhattisgarh

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District - Raipur Chhattisgarh.

**3** - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh.

**4** - Collector Raigarh - Cum - Land Acquisition Officer, Raigarh, District - Raigarh Chhattisgarh.

**5** - Sub-Divisional Officer Cum Land Acquisition Officer Gharghoda District - Raigarh Chhattisgarh.

**6** - Tahsildar Tamnar, District Raigarh Chhattisgarh.

**7** - M/s Jaiswal Neco Industries Limited, Through Its General Manager, F-8, M I D C Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra), District : Nagpur, Maharashtra

**8** - General Manager, Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

**--- Respondent(s)**

**WPC No. 2082 of 2021**

Kartikram S/o Sidar Aged About 62 Years R/o Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

**---Petitioner(s)**

**Versus**

**1** - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District - Raipur Chhattisgarh.

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District - Raipur Chhattisgarh.

**3** - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh

**4** - Collector Raigarh - Cum - Land Acquisition Officer, Raigarh, District Raigarh Chhattisgarh.

**5** - Sub - Divisional Officer Cum Land Acquisition Officer Gharghoda District - Raigarh Chhattisgarh.

**6** - Tahsildar Tamnar, District Raigarh Chhattisgarh.

**7** - M/s Jaiswal Neco Industries Limited, Through Its General Manager, F-8, M I D C Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra), District : Nagpur, Maharashtra

**8** - General Manager, Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

**--- Respondent(s)**

**WPC No. 2087 of 2021**

Laxmi Ram S/o Jainandan Aged About 28 Years Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

**---Petitioner(s)**

**Versus**

**1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh**

**2 - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District Raipur Chhattisgarh**

**3 - Commissioner Bilaspur Division District Bilaspur Chhattisgarh**

**4 - Collector Raigarh Cum Land Acquisition Officer, Raigarh District Raigarh Chhattisgarh**

**5 - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda, District Raigarh Chhattisgarh**

**6 - Tahsildar Tamnar District Raigarh Chhattisgarh**

**7 - M/s Jaiswal Neco Industries Limited Through Its General Manager, F-8, M I D C Industrial Area, Hingna Road, Hingna Nagpur Maharashtra**

**8 - General Manager Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar, District Raigarh Chhattisgarh Office At Banjikhoh Tehsil Tamnar, District Raigarh Chhattisgarh**

**--- Respondent(s)**

**WPC No. 2091 of 2021**

**Jairam S/o Matwar Aged About 55 Years R/o Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh**

**---Petitioner(s)**

**Versus**

1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District - Raipur Chhattisgarh.

2 - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District - Raipur Chhattisgarh

3 - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh.

4 - Collector Raigarh - Cum - Land Acquisition Officer, Raigarh, District Raigarh Chhattisgarh

5 - Sub - Divisional Officer Cum Land Acquisition Officer Gharghoda District - Raigarh Chhattisgarh

6 - Tahsildar Tamnar, District Raigarh Chhattisgarh

7 - M/s Jaiswal Neco Industries Limited, Through Its General Manager, F-8, M I D C Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra), District : Nagpur, Maharashtra

8 - General Manager, Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

--- Respondent(s)

**WPC No. 2102 of 2021**

Jogendro S/o Late Matwar Aged About 70 Years R/o Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---Petitioner(s)

**Versus**

**1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh.

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur, District Raipur Chhattisgarh

**3** - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**4** - Collector Raigarh Cum Land Acquisition Officer, Raigarh District Raigarh Chhattisgarh

**5** - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh

**6** - Tahsildar Tamnar, District Raigarh Chhattisgarh

**7** - M/s Jaiswal Neco Industries Limited Through Its General Manager, F - 8, Midc Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra)., District : Nagpur, Maharashtra

**8** - General Manager Hindalco Industries Limited Gare Pelma Iv /4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

--- Respondent(s)

**WPC No. 2106 of 2021**

Fagulal S/o Sadhram Aged About 44 Years R/o Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

---Petitioner(s)

**Versus**

**1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur, District Raipur Chhattisgarh

**3** - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh.

**4** - Collector Raigarh Cum Land Acquisition Officer, Raigarh, District Raigarh Chhattisgarh

**5** - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh.

**6** - Tahsildar Tamnar, District Raigarh Chhattisgarh

**7** - M/s Jaiswal Neco Industries Limited Through Its General Manager, F - 8, Midc Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra)., District : Nagpur, Maharashtra

**8** - General Manager Hindalco Industries Limited, Gare Pelma Iv /4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

--- **Respondent(s)**

**WPC No. 2088 of 2021**

Ghanshyam Singh Sidar S/o Late Muniram Sidar Aged About 48 Years R/o Village Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh

---**Petitioner(s)**

**Versus**

**1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh**

**2 - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District Raipur Chhattisgarh**

**3 - Commissioner Bilaspur Division District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh**

**4 - Collector Raigarh Cum Land Acquisition Officer Raigarh, District Raigarh Chhattisgarh**

**5 - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh.**

**6 - Tahsildar Tamnar District Raigarh Chhattisgarh.**

**7 - M/s Jaiswal Neco Industries Limited Through Its General Manager , F-8, Midc Industrial Area, Hingna Road, Hingna Nagpur Maharashtra.**

**8 - General Manager Hindalco Industries Limited , Gare Pelma Iv/4 Block Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh.**

**--- Respondent(s)**

**WPC No. 2104 of 2021**

**Hari S/o Dokri Aged About 72 Years R/o Village Banjikhoh, Tehsil Tamnar, District Raigarh, Chhattisgarh**

**---Petitioner(s)**

**Versus**

1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan, Raipur, District Raipur, Chhattisgarh

2 - State Of Chhattisgarh Through Secretary Department Of Industry Raipur, District Raipur, Chhattisgarh

3 - Commissioner Bilaspur Division, District Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

4 - Collector Raigarh Cum Land Acquisition Officer, Raigarh, District Raigarh, Chhattisgarh

5 - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh, Chhattisgarh

6 - Tahsildar Tamnar, District Raigarh, Chhattisgarh

7 - M/s Jaiswal Neco Industries Limited Through Its General Manager, F 8, M I D C Industrial Area, Hingna Road, Hingna Nagpur, Maharashtra, District : Nagpur, Maharashtra

8 - General Manager, Hindalco Industries Limited, Gare Pelma Iv/4 Block Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh, Chhattisgarh

--- Respondent(s)

**WPC No. 2952 of 2021**

1 - Tejram Sidar S/o Tilak Ram Sidar Aged About 73 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh

2 - Makund Ram Sidar S/o Chattar Singh Sidar Aged About 63 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh.

**3 - Chandrashekar Sidar S/o Hem Singh Sidar Aged About 23 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh.**

**4 - Puniram Sidar S/o Late Vritram Aged About 76 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh.**

**5 - Dhaniram Sidar S/o Mohitram Aged About 65 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh.**

**6 - Bandhuras Sidar S/o Late Kapil Aged About 65 Years Resident Of Village Kondkel, Milupara, District Raigarh Chhattisgarh. (In The Compensation Chart Petitioner Name Is Wrongly Mentioned As Budhuras In Place Of Bandhuras)**

**---Petitioner(s)**

**Versus**

**1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Raipur District Raipur Chhattisgarh**

**2 - State Of Chhattisgarh Through Secretary Department Of Industry Raipur District Raipur Chhattisgarh.**

**3 - Commissioner Bilaspur Division District Bilaspur Chhattisgarh.**

**4 - Collector Raigarh Cum Land Acquisition Officer Raigarh, District Raigarh Chhattisgarh.**

**5 - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh.**

**6 - Tahsildar Tamnar District Raigarh Chhattisgarh.**

**7 - M/s Jaiswal Neco Industries Limited Through Its General Manager , F-8, Midc Industrial Area, Hingna Road, Hingna Nagpur Maharashtra.**

**8** - Hindalco Industries Limited Through Its General Manager, Gare Pelma Iv/4 Block Banjikhola Tehsil Tamnar District Raigarh Chhattisgarh , Office At Banjikhola Tehsil Tamnar District Raigarh Chhattisgarh.

--- **Respondent(s)**

**WPC No. 3744 of 2021**

**1** - Chamar Singh S/o Bhikham Aged About 55 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh

**2** - Kunj Bihari Nishad S/o Late Nanhiram Aged About 51 Years (In The Compensation Chart Petitioners Fathers Name Is Mentioned He Is Dead After His Death Petitioner Is The Legal Successor), R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh

**3** - Nanhiram S/o Biriram Aged About 60 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh.

**4** - Hemvati D/o Late Budhsaay Aged About 47 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh

**5** - Ramkunwar D/o Late Shiv Singh Aged About 80 Years R/o Village Kondkel, Milupara, District Raigarh Chhattisgarh.

---**Petitioner(s)**

**Versus**

**1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan, Raipur, District Raipur Chhattisgarh

**2** - State Of Chhattisgarh Through Secretary Department Of Industry Raipur, District Raipur Chhattisgarh

**3 - Commissioner Bilaspur Division, District Bilaspur Chhattisgarh.**

**4 - Collector Raigarh, District Raigarh Chhattisgarh.**

**5 - Sub Divisional Officer Cum Land Acquisition Officer Gharghoda District Raigarh Chhattisgarh.**

**6 - Tahsildar Tamnar, District Raigarh Chhattisgarh**

**7 - M/s Jaiswal Neco Industries Limited Through Its General Manager, F - 8, Midc Industrial Area, Hingna Road, Hingna Nagpur (Maharashtra)., District : Nagpur, Maharashtra**

**8 - Hindalco Industries Limited Through Its General Manager, Gare Pelma Iv /4 Block Banjikhoh Tehsil Tamnar, District Raigarh Chhattisgarh, Office At Banjikhoh Tehsil Tamnar District Raigarh Chhattisgarh**

**--- Respondent(s)**

|                                                                   |                                                                                                            |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| For Petitioners                                                   | : Mr. Surfaraj Khan, Advocate with Mr. Kamal Kishore Patel, Advocate                                       |
| For Respondent-State                                              | : Mr. Dharmesh Shrivastava, Dy. Advocate General and Mr. Karan Baharani, Panel Lawyer                      |
| For Respondent – Jaiswal Neco Industries Ltd. in respective cases | : 1. Mr. Abhijit Mishra, Advocate<br>2. Mr. Abhinav Kardekar (through VC) with Mr. Ashish Pandey, Advocate |
| For Respondent- Hindalco Industries Ltd.                          | : Mr. Anuroop Panda, Advocate                                                                              |

**S.B.: Hon'ble Shri Parth Prateem Sahu, Judge**

**Order on Board**

**31/08/2026**

1. Since the issues involved in all these writ petitions are identical in nature, they are being heard together and are being disposed of by this common order.

2. The petitioners have filed the present writ petitions under Article 226 of the Constitution of India, seeking issuance of a direction to respondents No. 4 and 5 to comply with the the memo dated 08.06.2018 (Annexure P-1), issued by the office of the Commissioner, Bilaspur Division, Bilaspur, whereby the concerned authority was required to initiate appropriate proceedings and take necessary steps in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, the "*Act of 2013*").
3. Learned counsel appearing for the petitioners submits that the petitioners are the owners of lands situated at Village- Banjikhoh and Village- Kondkel, Tehsil - Tamnar, District Raigarh, the particulars of which have been mentioned in paragraph- 3 of the respective writ petitions. It is contended that the lands belonging to the petitioners have been taken over and utilized for coal mining operations without initiating and completing the requisite land acquisition proceedings in accordance with the provisions of the Act of 2013. Learned counsel for the petitioners further submits that the memo dated 08.06.2018 (Annexure P-1) itself demonstrates that the competent authority had taken cognizance of the fact that appropriate proceedings were required to be initiated in respect of the lands in question. However, despite lapse of considerable time, the respondents have failed to take any consequential action pursuant thereto. Such action on the part of the respondents amounts to deprivation of the petitioners' property without authority of law and is contrary to the constitutional guarantee contained in Article 300-A of the Constitution of India. He lastly

submitted that, grievance of the petitioners would be redressed if the respondent authorities are directed to initiate appropriate proceedings in view of memo dated 08.06.2018 (Annexure P-1) in accordance with law, within a time-bound period.

4. Per contra, learned counsel for the respondent- State submits that memo dated 08.06.2018 (Annexure P-1) referred to by the petitioners was only a general advisory communication issued by the Commissioner, Bilaspur Division, to ensure compliance of the provision of the Act of 2013 in respect of future acquisition. The said memo does not direct or authorize re-opening of acquisition already completed in the year 2012.
5. Learned counsel appearing for respondent No. 7 submits that the memorandum dated 08.06.2018 (Annexure P-1) constitutes an executive administrative instruction and that the petitioners, having accepted the award, cannot subsequently seek re-determination of the compensation.
6. Learned counsel appearing for respondent No. 8 submits that the memorandum dated 08.06.2018 (Annexure P-1), upon which the petitioners have placed reliance, is not applicable to the facts of the present case, as the award in question was passed in the year 2012. He further submits that excavation of coal from the land in question is being carried out only after acquisition of the said land in accordance with the procedure prescribed by law and upon payment of due and adequate compensation to the landowners in lieu thereof.

7. I have heard learned counsel for the parties and also perused the documents annexed along with writ petitions.

8. Admittedly, the memo dated 08.06.2018 (Annexure P-1), upon which the petitioners have placed considerable reliance, was issued by the Commissioner, Bilaspur Division, Bilaspur, to the Collector, Raigarh, under the following subject:

**"विषय:-** मेसर्स हिण्डाल्को इण्डस्ट्रीज लिमिटेड द्वारा जिला रायगढ़ तहसील तमनार स्थित गारे पेलमा IV/4 कोल ब्लॉक का कुल रकबा 884.846 है. क्षेत्रफल खनिज कोयला खनि पट्टा में प्रभावित ग्राम बांजीखोल, कोड़केल, बालजोर, तहसील तमनार हेतु पूर्व अनुमोदित आदर्श पुर्नवास योजना (यथा सशोधित 2007) उपरांत नवीन भू-अर्जन, भू स्वामियों को पुर्नवास का लाभ दिये जाने हेतु भूमि अर्जन पुर्नवास और पुर्नव्यस्थापन में उचित प्रतिकर एवं प्रारदर्शिता अधिनियम 2013 के अनुक्रम में पुर्नवास योजना का अनुमोदन बाबत।"

9. Perusal of the subject matter of the aforesaid memorandum dated 08.06.2018 (Annexure P-1) indicates that it pertains to the approval of a rehabilitation plan for the affected landowners in accordance with the provisions of the Act of 2013. However, on a plain reading of the said memorandum, it neither directs the reopening of any land acquisition proceedings that had already culminated in an award nor specifically provides for re-determination or enhancement of compensation in respect of such concluded acquisition proceedings. It is, however, not in dispute that the lands belonging to the petitioners are situated at Village Banjikhola and Village Kondkel, respectively, and that both the said villages find mention in the subject matter of the memorandum dated 08.06.2018 (Annexure P-1).

10. The principal grievance of the petitioners is with regard to non-compliance of the memo dated 08.06.2018 (Annexure P-1) issued by

the Commissioner, Bilaspur Division, whereby the concerned authority i.e. Collector, Raigarh was required to take appropriate steps in accordance with the provisions of the Act of 2013.

11. It is not in dispute that the memorandum dated 08.06.2018 (Annexure P-1) was issued by the Divisional Commissioner, being the superior administrative and revenue authority of the Division, and was addressed to the Collector, Raigarh. The respondents have disputed the applicability of the said memo to the case of the petitioners on the ground that the acquisition proceedings in respect of the lands in question had already culminated in an award dated 19.04.2012 and that the lands were thereafter acquired and utilized for coal mining operations. It has also been contended on behalf of the respondents that the compensation determined pursuant to the said acquisition proceedings had already been accepted by the concerned landowners.
12. Though the respondent-State has filed its return and has opposed the claim of the petitioners, the reply filed on behalf of the State does not disclose as to whether any action has been taken by the Collector, Raigarh, pursuant to the aforesaid memo dated 08.06.2018. There is also nothing on record to demonstrate that the directions contained in the said memo have either been complied with or that any reasoned decision has been taken by the competent authority in respect thereof.
13. Considering the facts and circumstances of the case, grievance raised by the petitioners in these writ petitions and the rival submissions made by learned counsel for the parties, this Court is of the considered opinion that the question as to what benefits is to be extended to

petitioners pursuant to the memo dated 08.06.2018 (Annexure P-1) is to be considered by the competent authority at the first instance.

14. In view of the foregoing discussions, contents of the memo dated 08.06.2018 (Annexure P-1), and the fact that the respondent-State has not disclosed what steps, if any, have been taken by respondent No. 4/Collector pursuant to the directives contained in the said memo addressed to him by the Commissioner, Bilaspur Division, Bilaspur, I deem it appropriate to dispose of all these writ petitions with a direction to respondent No. 4/ Collector, to duly examine and consider the directives contained in the memorandum dated 08.06.2018 (Annexure P-1) in the facts and circumstances of the cases.

15. Accordingly these writ petitions are disposed of directing respondent No.4/Collector to take decision on the claim of petitioners by reasoned and speaking order in accordance with law, expeditiously within an outer limit of four months from the date of receipt of the order.

16. Petitioners would be at liberty to file fresh representation before respondent No.4/Collector ventilating their grievance as raised in these writ petitions.

17. With the aforesaid observation and direction, all the writ petitions stand disposed of.

Sd/-

**(Parth Prateem Sahu)**

Judge